801.68221

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	William B. Rose		) I hereby certify that this paper is being deposited with the United States Postal Service as FIRST CLASS mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450, on this date.  )    5/2/07   Registration No. 35/32     F-CLASS.WCM Attorney for Applicant(s)  AND   Appr. February 20, 1998  FOR
Serial No.:	10/705,589		
Conf. No.:	6235		
Filed:	11/10/2003		
For:	PREFORMED DIVERTERS DIVERTER SYSTEM BUILDING FOUNDATIONS		
Art Unit:	3753		)
Examiner:	Nguyen, Chi Q.		

## **RESPONSE TO RESTRICTION REQUIREMENT**

MS Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

In response to the restriction requirement dated April 19, 2007, applicants maintain the previous election of the claims of Group II which includes claims 1-4, 6-15, 26-29, 31-54 and 65-66 drawn to an apparatus of a preformed unibody diverter. This election of claims was already made without traverse on August 28, 2006. The previous election is maintained.

Because, however, the current (and unnecessary) restriction sets forth additional grounds that are improper, the basis for the current restriction is traversed. This is done to clarify the record. Examination can proceed on the Group II claims as it has been proceeding. The additional restriction requirement only serves to delay prosecution of this case, and is improper as it does nothing to advance the examination of this case. Claims 55-64 were already withdrawn in the office action that was mailed on October 17, 2006.